

Superior Court of California County of Sutter

Chambers of
CHRISTOPHER R. CHANDLER
Superior Court Judge

Courthouse West
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September 23, 2011

Brad R. Hill, Presiding Justice
Court of Appeal, Fifth District
2424 Ventura Street
Fresno, California 93721

Re: Invitation to Address Court Facilities Working Group – SB 1407 Project
New Yuba City Courthouse

Dear Justice Hill and Members of the Court Facilities Working Group,

In response to your invitation to provide to the Court Facilities Working Group information regarding the New Yuba City Courthouse project, I provide the following:

The New Yuba City Courthouse is currently in the Preliminary Plans Phase. Schematic design has been completed and we have commenced design development. The New Yuba City Courthouse should proceed by completing the current phase and be recommended to move forward to the next phase of working drawings.

The site is owned.

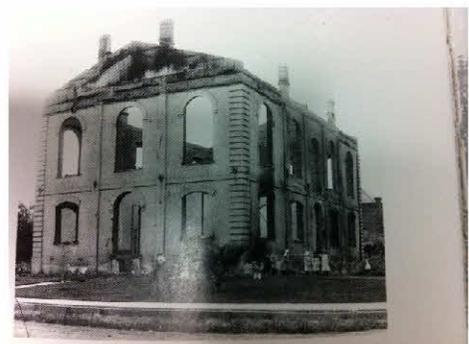
The New Yuba City Courthouse is a model for SB 1407. **For the last 33 years, there has been universal agreement that a new courthouse is needed, and where it should be located.** Sutter County has a population of 94,737, five judges, a family support commissioner, and the need for a sixth judge as approved by the Judicial Council in October 2008. All judges, court staff, county and city representatives, justice partners, and members of the bar involved in the project agree on the need, location and design of the New Yuba City Courthouse.

The implications if the New Yuba City Courthouse is delayed or canceled are numerous.

Historic Courthouse

President Harry S. Truman said of the White House, prior to its restoration, "the only thing keeping this building together is habit."

The building from which I write this letter is two stories high with a basement. Its unreinforced brick walls and brick foundation were



completed 139 years ago in 1872. It was gutted by fire in 1899, and the “new” interior was completed in 1901.

Today, the brick foundation bricks crumble with the poke of a finger. Even when unprovoked by touching, the brick foundation showers plumes of brick dust, as can be seen in the photo.



The roof has leaked over the years (including 2011). Dry rot is easily visible.

This building houses two of our criminal division courtrooms (the third being in the attached 1961 annex, also a prodigious source of roof leaks; part of the annex also houses a portion of the District Attorney’s staff). In-custody defendants are brought by van from the jail 2.7 miles, and are held in the basement.



We have no holding cells. In-custody defendants are chained to wooden benches in the basement of the historic courthouse, brought up 13 antique wooden steps (a sign advises “watch your head” at the first of two landings) and then into the public hallway.

There is no jury assembly room.

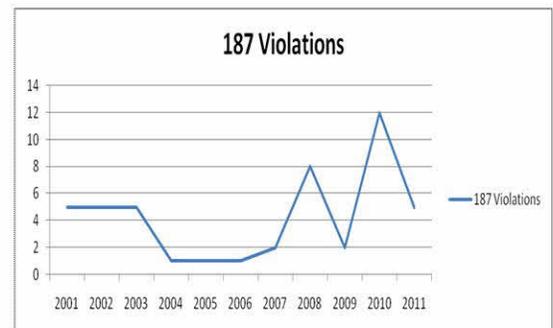
The public often sits on the floor or the stairs leading to the second floor courtrooms as there is simply no other place to sit. Everyone is in the same narrow, crowded hallway (with many “blind corners”)...in-custody defendants, the public, jurors, court staff, justice partners, judges.



Defendants in wheelchairs must be transported from the sally port at the rear of the building to the front public entrance.

The logistics of conducting a jury trial in this building are bleak. I cannot begin to adequately express the concern I feel for the safety of the defendants, jurors, public, court staff and judges in this building.

Each week the County Board of Supervisors holds evening meetings in the historic Hall of Records next door. As that facility has no restroom at all, the courthouse door is left open so that the public can use the restroom. Court security staff the following morning is tasked with checking the restroom for contraband/ potential explosive devices.



When given the option to exercise their first right of refusal once the space is vacated by the court, the county has indicated it will opt to refuse the space. It does not want the building back.

From the outside the Historic Courthouse is a charming 139 year old antique in the historic part of town. This is its one and only redeeming quality.

Courthouse East

The Juvenile/Family Law courtroom and Civil Division courtroom are directly across the street in a mixed use 1953 building that once housed the county offices and agencies.

Again, there is no holding area. Juveniles are held in the second story women's restroom. Circulation for these juveniles is by necessity through the public hallways. This is not secure; it is not conducive to the confidentiality that should be afforded juvenile matters.

There are no attorney interview rooms in either of the courthouse buildings. There are no interview rooms for CPS or Probation. Everyone talks to whomever in the same place: the crowded public hallway.

There is no waiting area for children.

Currently, as the Family Law Court is .7 miles away from mediators, investigators, the facilitator and self-help attorney, there are inevitable delays, and unnecessary confusion for litigants.

Family Law Center

The third location for our court is a leased storefront that is seven tenths of a mile from the Family Law courtroom. The building houses the Family Law Facilitator, Family Support Commissioner and his courtroom and our IT Department. The unreimbursed/ non grant costs of leasing this building are high enough that we are actively looking at the option of terminating the lease and moving everything to either the Historic Courthouse, Courthouse East or a combination. Each of these buildings is already severely crowded.

All told, even with the leased premises, we are operating in 53% of the DGSF.

Sutter County has been designated a "Severely Under-Resourced Court"; as daunting as giving up the leased premises is, the potential of saving \$108,000 annually is something we must seriously consider.

Operating Costs

The issues with our current facility that I have outlined come with a cost. As previously mentioned, one of the facilities is leased by the court at a cost of \$108,000 (lease and utilities.) per year. At least two additional court security positions are required to man three separate entrance screening stations when compared to the manpower that will be required to man one entrance screening station in the new courthouse. The salary and benefit costs of these positions exceed \$140,000. The equivalent of a full time position is expended each day traveling between facilities at an annual cost of \$45,000. In all, the court spends over \$340,000 in operational costs annually providing adequate space and supporting deficient facilities. These costs will not be necessary in the new facility.

In addition to the operational costs, the Facilities Maintenance Division of OCCM should be able to provide information on maintenance and repair costs since transfer of the facilities as well as projected costs for

future repairs and maintenance that will be necessary should our project be placed on hold. These include but are not limited to roof repairs and/or replacement and replacement of both elevators.

We do recognize that a larger, more modern facility will have its own associated costs, however, it is much easier to justify to ourselves and the public the expenditure of funds in exchange for a safe and functional environment for the delivery of justice.

Justice Partners

The perspectives shared herein are not only our own. District Attorney Carl Adams comments *"Our facility puts the public at risk. Everyone but inmates and Court personnel enter the courthouse through the same doorway into the same small lobby. Out of custody defendants, victims, witnesses, family members on both sides, gang members and everyone else including the general public all come in through one door. They come into one small lobby; they go down one small hallway and up the only flight of stairs. There is no way to segregate any of these groups from the rest."*

Chief Probation Officer Chris Odom, shares *"I have been a probation officer in one position or another in this county for 32 years. Other than some cosmetic changes, the courthouse remains the same as it did when I started my career. It is very obvious that this county has waited long enough for courthouse facilities that address the basic needs and safety of judges and the offenders being served daily. The basic rights of minors are being violated day in and day out, and it is only a matter of time before formal complaints or lawsuits are filed because of lack of confidentiality or because of the risks inherent in the current facilities"*

Thank you for the opportunity to share these thoughts about the New Yuba City Courthouse. I am attaching two documents for further reference. The first is a matrix that helps outline the current facilities deficiencies and benefits of the new facility. The second includes photos which illustrate some of the issues I have referenced.

I appreciate that you and the members of the Working Group have a difficult task. It is my sincere belief that the New Yuba City Courthouse project should complete its current phase, and proceed with working drawings.

Sincerely,

A handwritten signature in black ink, reading "Christopher R. Chandler". The signature is written in a cursive style with a long, sweeping underline.

Christopher R. Chandler
Presiding Judge

**ATTACHMENT 1
NEW YUBA CITY COURTHOUSE – SUTTER COUNTY SUPERIOR COURT**

CURRENT FACILITY DEFICIENCIES AND BENEFITS OF NEW FACILITY

CURRENT FACILITY DEFICIENCIES	BENEFITS OF NEW FACILITY
SECURITY	
<p>Court facilities are not located in close proximity to any law enforcement agency.</p> <ul style="list-style-type: none"> • Current facilities are 2.7 miles from Sheriff, CHP and Yuba City PD • Current response time is 10 minutes or more depending on traffic <p>Three separate entrance screening stations with metal detectors and x-ray machines</p>	<p>The site for the new court facility is immediately adjacent to the Sutter County Sheriff’s Department, within a block of Yuba City Police Department and within 2 blocks of the California Highway Patrol Office.</p> <p>Includes a single public entrance requiring one entrance screening station with metal detector and x-ray machines.</p>
<p>Inadequate inmate holding</p> <ul style="list-style-type: none"> • Inmate holding in basement of building built in 1872 • No juvenile holding. Juveniles are held in the women’s restroom. This restroom is then not available when the juvenile calendar is being heard. • No separate inmate circulation. Inmates must walk through public lobby to be transported to courtrooms. • No separate juvenile circulation. Juveniles are transported, in shackles through public lobby. • Inmate holding area is one large open room. Inmates are padlocked to benches. In the event of an evacuation, this could result in a significant delay putting officers and inmates at increased risk of harm. 	<p>Inmate Holding</p> <ul style="list-style-type: none"> • Close proximity to jail will facilitate transportation and security of inmates • New facility will eliminate exposure of public to inmates in public hallways • Secure juvenile holding • In custody juveniles will not be transported in sight of the public • Modern compliant facilities and holding cells
<p>Additional Security concerns:</p> <ul style="list-style-type: none"> • Current facilities were not designed with any security features in mind <ul style="list-style-type: none"> ○ No separate inmate circulation ○ No safety glass at filing counters ○ Lack of fixed public seating in some areas ○ Courthouse entrances not designed for screening equipment. ○ Poor lines of sight both inside and outside the building 	<ul style="list-style-type: none"> • Separate secure circulation for inmates • Updated cameras and monitoring • Modern safety fixtures <ul style="list-style-type: none"> ○ Safety glass at public areas ○ Public seating <ul style="list-style-type: none"> i. Should be unable to pick up and throw seating ii. Should be unable to use as a barricade ○ One secure public entrance ○ One secure public exit <ul style="list-style-type: none"> i. Monitor public

CURRENT FACILITY DEFICIENCIES	BENEFITS OF NEW FACILITY
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> <ul style="list-style-type: none"> movement ii. Evacuations during an emergency <ul style="list-style-type: none"> ○ Field of view <ul style="list-style-type: none"> i. For security to see outside / inside during normal times ii. For Law Enforcement to see inside / outside during emergency situations
FACILITY DEFICIENCIES	
<p>Both state-transferred court facilities are shared-use buildings.</p> <ul style="list-style-type: none"> • AOC manages facilities maintenance <ul style="list-style-type: none"> ○ Added expense and complexity of working with county on maintenance to shared-use space • Lack of control over space <ul style="list-style-type: none"> ○ County utilizes one facility after-hours allowing public in unescorted to use restrooms • Other county agencies can only access their offices by traveling through inmate holding sally port 	<p>New Court facilities will be occupied only by the court.</p> <ul style="list-style-type: none"> • Need to coordinate maintenance with other agency will be eliminated • After-hours access and security will be fully within the court's control • Separate secure sally port for inmate delivery
<p>Inadequate space</p> <ul style="list-style-type: none"> • Courthouse facilities are cramped and overcrowded • Court operates in 53% of the DGSF required • Court leases space for Family Court Services, Self-Help Center and Family Support Commissioner at a cost of \$108,000 per year 	<ul style="list-style-type: none"> • Provides adequate space for courtrooms, court programs, staff and public • Eliminates need for leased space at an annual cost savings of \$108,000
<p>Facilities are old and failing</p> <ul style="list-style-type: none"> • One facility requires a seismic retrofit • Elevators are in very poor condition and need replacing • Plumbing is inadequate and in need of replacement • Brick under casements is crumbling 	<p>A modern new facility built in compliance with current codes and standards</p>

CURRENT FACILITY DEFICIENCIES	BENEFITS OF NEW FACILITY
<ul style="list-style-type: none"> ● Not energy efficient <ul style="list-style-type: none"> ○ Single pane windows do not keep out cold or heat or sound ○ Old HVAC systems ● There are no fire/life safety systems in place 	
<p>Inadequate facilities:</p> <ul style="list-style-type: none"> ● No secure parking for judicial officers or court staff <ul style="list-style-type: none"> ○ On-street parking only for most court staff ● Workspace is disjointed and people are crammed into nooks and crannies <ul style="list-style-type: none"> ○ Some staff are located in what were old jail cells ● Loft area where fiscal staff is located is accessible only by stairs ● Sound travels and confidentiality of jury deliberations, private judicial conversations, and conference room conversations can be overheard ● In-custodies held in basement can be heard on main floor. Staff and public can hear them yelling, cursing, etc. This creates a very hostile environment that can be especially upsetting to victims. ● Courtrooms are not adequate <ul style="list-style-type: none"> ○ Inadequate seating area for jury selection ○ Limited escape routes in the event of an emergency ○ Counsel and parties/defendants must sit at one table ○ Not ADA compliant ● Steep stairwells and old elevators ● No jury assembly area ● No separate waiting areas or conference rooms <ul style="list-style-type: none"> ○ Attorneys and social workers meet with families and juveniles in the public lobby often discussing sensitive items and confidential reports ○ Victims often come in contact with defendants and/or their family and other supporters 	<ul style="list-style-type: none"> ● New facility will provide additional security enhancements <ul style="list-style-type: none"> ○ Separate circulation for judicial officers and court staff ○ One single entrance for members of the public ○ Secure parking for judicial officers and court staff ● Adequate, well-planned and programmed space for staff and public ● Ability to secure facility after-hours and on weekends ● Separate in-custody holding areas far removed from public spaces ● Properly programmed courtrooms designed to enhance security, sightlines, sounds and efficiency ● Separate witness waiting rooms and attorney-client conference rooms ● Modern functioning elevators ● Adequate and modern public and staff restrooms ● Staff located within one facility with separate staff circulation corridors ● Comfortable, jury assembly room for jurors to congregate, receive orientation, be processed and wait

CURRENT FACILITY DEFICIENCIES	BENEFITS OF NEW FACILITY
<ul style="list-style-type: none"> ● Inadequate restrooms <ul style="list-style-type: none"> ○ Building was not built with today's plumbing requirements in mind ○ Limited restrooms available for the public. Many restrooms are for a single user only with the public having to wait in line to use. ○ Limited restrooms are available for jurors and are for a single user. This requires the court to take longer recesses to provide adequate time for all jurors to use restroom. ● Staff must travel across the street several times a day to transport files, documents and services. This is particularly challenging and less safe in inclement weather. 	
RISK MANAGEMENT ISSUES	
<p>Facilities are located directly adjacent to a levee</p> <ul style="list-style-type: none"> ● Files must be relocated to second floor when there is a threat of flooding ● Levee is directly adjacent to one court facility and the top of the levee is at the same level of the court's second floor courtrooms and chambers area 	<ul style="list-style-type: none"> ● Located further away from levees reducing chances of flooding due to rising rivers ● Enhanced security through design
<p>Unsafe work environment</p> <ul style="list-style-type: none"> ● Inmates and juveniles transported up stairs in shackles ● Staff frequently crossing busy street to transport files between buildings ● Remote on-street parking for staff ● Staff working in areas only accessible by stairs 	<ul style="list-style-type: none"> ● Both public and staff areas are designed to meet ADA requirements ● Environmentally safe and approved building materials ● Modern sustainable facility
<p>Buildings are not ADA compliant.</p> <ul style="list-style-type: none"> ● An ADA lawsuit filed by a member of the public is currently pending ● Many if not most employee workspaces are not ADA compliant including break rooms, restrooms and work spaces ● Courtrooms are not ADA compliant ● Wheelchair bound inmates must be pushed around to the front of the building 	<p>Fully ADA compliant facility</p> <ul style="list-style-type: none"> ● Greater risk management ● Greater ability to accommodate the accessibility needs of the public, court employees and inmates

CURRENT FACILITY DEFICIENCIES	BENEFITS OF NEW FACILITY
and come in the front door with the general public	
SERVICE TO PUBLIC	
<p>Having services provided in three buildings impedes the court's ability to provide services.</p> <ul style="list-style-type: none"> • Public often does not know in which location to find the services they require • Defendants, litigants, jurors and out-of-town attorneys are often late for court proceedings after reporting to wrong facility <p>No juror assembly or waiting area</p>	<ul style="list-style-type: none"> • One-stop service for members of the public • Ease in locating courtrooms and services • Comfortable and accessible assembly room for jurors
<p>Family Court Services, Self-Help Center and Family Support Commissioner proceedings are located in a separate facility over one mile from the main courthouses.</p> <ul style="list-style-type: none"> • FCS and Self-Help staff are not onsite where services are most needed • FCS and self-help staff do not have immediate access to court files • FCS staff are not available at courthouse to provide direct services in mediation and investigations 	<p>All court services will be provided from one facility.</p> <ul style="list-style-type: none"> • Court may implement programs for direct referrals to FCS programs (mediation and investigation) and self-help services • Persons requiring self-help services may receive those services onsite • Eliminate delays in access by mediators, investigators and self-help attorneys to court files and information

**ATTACHMENT 2
LETTER OF SUPPORT
NEW YUBA CITY COURTHOUSE – SUTTER COUNTY SUPERIOR COURT**

*INMATE HOLDING – COURTHOUSE
WEST BASEMENT*



*INMATE HOLDING - BENCHES
W/PADLOCKS*



*NARROW STAIRWAY FROM
INMATE HOLDING TO MAIN FLOOR*



**ATTACHMENT 2
LETTER OF SUPPORT
NEW YUBA CITY COURTHOUSE – SUTTER COUNTY SUPERIOR COURT**

*TOP OF STAIRWAY FROM INMATE
HOLDING ENTERING INTO PUBLIC
LOBBY. NOTE STAIRWAY
ENTRANCE IMMEDIATELY IN FRONT
OF PUBLIC RESTROOM*



PUBLIC RESTROOM

STAFF ENTRANCE

CRIMINAL FILING COUNTERS

*COURTHOUSE WEST – CRUMBLING
BRICK FOUNDATION –*



*BRICK DUST IN LOWER CENTER OF
PICTURE.*

**ATTACHMENT 2
LETTER OF SUPPORT
NEW YUBA CITY COURTHOUSE – SUTTER COUNTY SUPERIOR COURT**



*DRY ROT – JUDICIAL CHAMBERS –
WINDOWSILL*



*INMATE STAIRS – UNEVEN AND
ROTTING*



*ATTORNEY MEETING WITH INMATE
CLIENT IN BASEMENT HOLDING*

**ATTACHMENT 2
LETTER OF SUPPORT
NEW YUBA CITY COURTHOUSE – SUTTER COUNTY SUPERIOR COURT**



*COURTHOUSE EAST – VIEW OF
LEVEE ROAD FROM JUDICIAL
CHAMBERS - SECOND FLOOR*



*COURTHOUSE EAST –
INMATE/JUVENILE TRANSPORT –
NO SALLY PORT*